

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION

WILLIAM STEWART,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL NO. 2:09-CV-803-PWG
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	


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**ORDER**

On May 6, 2010, the Magistrate Judge's Findings and Recommendation was filed. No objections have been filed by either the plaintiff or defendant pursuant to Rule 72(b) of the *Federal Rules of Civil Procedure*.

Having carefully reviewed and considered *de novo* all the materials in the court file, the Court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and his recommendation is **ACCEPTED**. It is **ORDERED**, **ADJUDGED** and **DECREED** that the motion to dismiss filed by defendant United States of America is **DENIED**.

**DONE** this the 8th day of June, 2010.

  
**VIRGINIA EMERSON HOPKINS**  
United States District Judge